

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOLENE HUNT,
Plaintiff

v.

**UNIVERSITY OF PITTSBURGH
MEDICAL CENTER, PINNACLE,
Defendant**

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No. 1:18-cv-01757

(Judge Kane)

ORDER

AND NOW, on this 12th day of August 2019, upon consideration of Defendant's motion to dismiss (Doc. No. 10) Plaintiff's amended complaint (Doc. No. 9), and in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. The motion to dismiss previously filed by Defendant on November 16, 2018 (Doc. No. 7) is **DENIED AS MOOT**;
2. Defendant's motion to dismiss Plaintiff's amended complaint (Doc. No. 10) is **GRANTED IN PART** and **DENIED IN PART** as follows:
 - a. The motion is **GRANTED** as to Counts I, II, IV, V, and VI of Plaintiff's amended complaint (Doc. No. 9);
 - b. The motion is **DENIED** as to Counts III and VII of Plaintiff's amended complaint (Doc. No. 9); and
3. Defendant shall file an answer to Plaintiff's amended complaint (Doc. No. 9) within twenty-one (21) days of the date of this Order.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania